

REMARKS

Applicant's Attorney respectfully requests reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks. Support for the claim amendments and additions can be found in the original disclosure at least at paragraphs [0025] and [0045]. No new matter has been added.

§ 103 REJECTIONS

Claims 1, 2, 7, 9, 10, 12, 21, 22, 25 and 27 are rejected under 35 § U.S.C. 103(a) as being unpatentable over Kanevsky et al., U.S. Patent No. 6,434,520 B1 (hereinafter Kanevsky) in view of Geshwind, U.S. Patent No. 7,080,392 B1 (hereinafter Geshwind) in view of Cobbley et al, U.S. Patent No. 5,818,510 (hereinafter Cobbley) and in view of Maybury et al., U.S. Patent No. 6,961,954 B1 (hereinafter Maybury).

Claims 13, 15 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanevsky in view of Cobbley, Maybury and Culliss, U.S. Patent Pub. No. 6,014,665 (hereinafter Culliss).

Claims 3, 11 and 23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanevsky in view of Geshwind, Cobbley, Maybury and Ellis et al., U.S. Patent No. 5,436,653 (hereinafter Ellis).

Claims 6 and 24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanevsky in view of Geshwind and Schultz U.S. Patent No. 5,737,734 (hereinafter Schultz).

Claims 8 and 26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanevsky in view of Geshwind, Cobbley, Maybury and Bolle et al., U.S. Patent No. 6,675,174 B1 (hereinafter Bolle).

Applicant respectfully traverses the rejections. Nevertheless, without conceding the propriety of the rejection and in the interest of expediting allowance of the application, independent claim 13 has been amended and is believed to be allowable.

KANEVSKY IN VIEW OF GESHWIND IN VIEW OF COBBLEY IN VIEW OF MAYBURY

Independent claim 1, as presently presented, recites (emphasis added):

1. (Currently Amended) A processor-readable storage medium comprising processor-executable instructions configured for:
 - receiving a request for information regarding a media object;
 - inferring the information from repeat instances of media objects occurring within one or more media streams; and
 - returning the information;wherein the inferring comprises **comparing** temporal lengths of repeat instances of the media object with one another **to determine different versions** of the media object, wherein the different versions of the media object are video clips, the different versions of the media object selected from the group comprising:
 - a longest version of the media object;
 - a number of longer versions of the media object;
 - a shortest version of the media object; and
 - a number of shorter versions of the media object andwherein the inferring further comprises determining a number of related media objects, wherein: (i) the related media objects are determined based on temporal proximities of media objects relative to the media object associated with the request, and (ii) the related media objects have a higher frequency of repeat instances relative to one another.

Claim 1 is rejected under 35 § U.S.C. 103(a) as being unpatentable over Kanevsky in view of Geshwind in view of Cobbley in view of Maybury. Applicant respectfully traverses the rejection.

During the interview, Applicant distinguished the claims from the cited references. Specifically, Applicant asserted that the cited references did not teach or suggest the following emphasized features:

wherein the inferring comprises **comparing** temporal lengths of repeat instances of the media object with one another **to determine different versions** of the media object (Amended Claim 1)

In fact, during the interview, Applicant understood the Examiners to tentatively agree that these features overcome the cited references. Applicant sincerely thanks the Examiner's for this indication. For at least this reason, Applicant respectfully submits that this claim stands allowable.

Dependent claims 2, 7, 9, 10 and 12 depend from independent claim 1. These dependent claims are allowable by virtue of this dependency, as well as for additional features that they recite.

Independent claim 21, as presently presented, recites (emphasis added):

21. (Previously Presented) A system comprising:
one or more processors; and
a processor-readable storage medium, executable on the one or more processors, and comprising processor-executable instructions configured for:
receiving a request for information regarding a media object;
inferring the information from repeat instances of media objects occurring within one or more media streams; and
returning the information;
wherein the inferring comprises **comparing** temporal lengths of repeat instances of the media object with one another **to**

determine different versions of the media object, the different versions of the media object selected from the group comprising:

- a longest version of the media object;
- a number of longer versions of the media object;
- a shortest version of the media object; and
- a number of shorter versions of the media object and

wherein the inferring further comprises determining a number of related media objects, wherein: (i) the related media objects are determined based on temporal proximities of media objects relative to the media object associated with the request, and (ii) the related media objects have a higher frequency of repeat instances relative to one another.

Claim 21 is rejected under 35 § U.S.C. 103(a) as being unpatentable over Kanevsky in view of Geshwind in view of Cobbley in view of Maybury. Applicant respectfully traverses the rejection. Applicant respectfully asserts that these references each fail to disclose or suggest features of this amended claim for at least reasons similar to those discussed above in regards to claim 1.

For at least this reason, Applicant respectfully submits that this claim stands allowable.

Dependent claims 22, 25 and 27 depend from independent claim 21. These dependent claims are allowable by virtue of this dependency, as well as for additional features that they recite.

KANEVSKY IN VIEW OF COBBLEY IN VIEW OF MAYBURY IN VIEW OF CULLISS

Independent claim 13, as presently presented, recites (emphasis added):

- 13.** (Currently Amended) A processor-readable storage medium comprising processor-executable instructions configured for:
- receiving a first user input regarding a first media object;
 - sending a first request for one or more additional media objects based on the first user input, the one or more additional

media objects each including a portion of a media clip in common with the first media object;
receiving at least one of the one or more additional media objects;
rendering the received additional media object;
receiving a second user input regarding a second media object;
sending a second request for one or more related media objects based on the second user input, the one or more related media objects comprising media objects that occur within a close temporal proximity of the second media object;
receiving at least one of the one or more related media objects;
rendering the received related media object;
receiving a third user input regarding a third media object;
sending a third request for one or more **most-popular media objects** based on the third user input, the one or more most-popular media objects comprising media objects having a higher frequency of repeat instances relative to one **another and a shorter or longer length relative to one another**;
receiving at least one of the one or more most-popular media objects; and
rendering the received most-popular media object.

Claim 13 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanevsky in view of Cobbley, Maybury and Culliss. Applicant respectfully traverses the rejection. Nevertheless, without conceding the propriety of the rejection and in the interest of expediting allowance of the application, independent claim 13 is amended to more distinctly recite features of Applicant's claimed subject matter. Applicant respectfully asserts that the cited references do not teach or suggest the features emphasized above. Specifically, Applicant can find no mention of the features emphasized above in the cited references.

Thus, the cited references, whether taken alone or in combination (assuming for the sake of argument that they can be combined), fail to teach or

suggest the features of this independent claim. For at least this reason, Applicant respectfully submits that this claim stands allowable.

Dependent claims 15 and 16 depend from independent claim 13. These dependent claims are allowable by virtue of this dependency, as well as for additional features that they recite.

KANEVSKY IN VIEW OF GESHWIND IN VIEW OF COBBLEY IN VIEW OF MAYBURY IN
VIEW OF ELLIS

Dependent claims 3, 11 and 23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanevsky in view of Geshwind, Cobbley, Maybury and Ellis. Applicant respectfully traverses the rejections. Claims 3 and 11 depend from independent claim 1 and dependent claim 23 depends from independent claim 21.

As discussed above, Kanevsky, Geshwind, Cobbley and Maybury fail to teach or suggest the features of independent claims 1 and 21. Ellis, meanwhile, discloses “broadcast segment recognition systems and methods [are provided] in which a signature representing a monitored broadcast segment is compared with broadcast segment signatures in a data base representing known broadcast segments to determine whether a match exists.” (Abstract).

However, Ellis still fails to remedy the deficiencies in Kanevsky, Geshwind, Cobbley and Maybury as noted above. Thus, Ellis in view of the cited references, whether taken alone or in combination (assuming for the sake of argument that they can be combined), fail to teach or suggest the features of the independent claims.

Dependent claims 3, 11 and 23 thus stand allowable by virtue of their dependency, as well as for additional features that each recites. Applicant therefore respectfully submits that the § 103 rejection of these claims should be withdrawn.

KANEVSKY IN VIEW OF GESHWIND IN VIEW OF SHULTZ

Dependent claims 6 and 24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanevsky in view of Geshwind, and Schultz. Applicant respectfully traverses the rejections. Claim 6 depends from independent claim 1 and dependent claim 24 depends from independent claim 21.

As discussed above, Kanevsky, Geshwind, Cobbley and Maybury fail to teach or suggest the features of independent claims 1 and 21. Schultz, meanwhile, discloses “A method for performing a search of a database in an information retrieval system in response to a query having at least one query word with a query word weight and for applying the query word to the database and selecting information from the information retrieval system in accordance with the query word.” (Abstract).

However, Schultz still fails to remedy the deficiencies in Kanevsky, Geshwind, Cobbley and Maybury as noted above. Thus, Ellis in view of the cited references, whether taken alone or in combination (assuming for the sake of argument that they can be combined), fail to teach or suggest the features of the independent claims.

Dependent claims 6 and 24 thus stand allowable by virtue of their dependency, as well as for additional features that each recites. Applicant

therefore respectfully submits that the § 103 rejection of these claims should be withdrawn.

KANEVSKY IN VIEW OF GESHWIND IN VIEW OF COBBLEY IN VIEW OF MAYBURY
AND BOLLE

Dependent claims 8 and 26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanevsky in view of Geshwind in view of Cobbley in view of Maybury in view of Bolle. Applicant respectfully traverses the rejections. Claim 8 depends from independent claim 1 and dependent claim 26 depends from independent claim 21.

As discussed above, Kanevsky, Geshwind, Cobbley and Maybury fail to teach or suggest the features of independent claims 1 and 21. Bolle was not cited against independent claims 1 and 21.

Dependent claims 8 and 26 thus stand allowable by virtue of their dependency, as well as for additional features that each recites. Applicant therefore respectfully submits the § 103 rejection of these claims should be withdrawn.

CONCLUSION

For at least the foregoing reasons, the pending claims are in condition for allowance. Applicant respectfully requests reconsideration and withdrawal of the rejections and an early notice of allowance.

If any issue remains unresolved that would prevent allowance of this case, **Applicant requests that the Examiner contact the undersigned attorney to resolve the issue.**

Respectfully Submitted,

Lee & Hayes, PLLC
Representatives for Applicant

By: /David K. Sakata/

Dated: 5/18/2009

David K. Sakata (davids@leehayes.com; (509) 944-4716)
Registration No. 59,949

Robert G. Hartman (rob@leehayes.com; (509) 944-4765)
Registration No. 58,970

Customer No. **22801**

Facsimile: (509) 323-8979
www.leehayes.com